
TIGARD CITY COUNCIL
MEETING

September 17, 2002 6:30 p.m.

TIGARD CITY HALL
13125 SW HALL BLVD
TIGARD, OR 97223



PUBLIC NOTICE:

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead-time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting date by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL WORKSHOP MEETING
September 17, 2002

6:30 PM

1. WORKSHOP MEETING
 - 1.1 Call to Order - City Council
 - 1.2 Roll Call
 - 1.3 Pledge of Allegiance
 - 1.4 Council Communications & Liaison Reports
 - 1.5 Call to Council and Staff for Non Agenda Items
2. UPDATE: TIGARD MUNICIPAL COURT ANNUAL REPORT
 - Update by Municipal Court Judge and Finance Staff
3. OVERVIEW: URBAN RENEWAL FUNDAMENTALS
 - Overview by City Attorney and Community Development Department Staff
4. DISCUSS: AMENDMENT TO THE JOINT FUNDING AGREEMENT -- INTEGRATED WATER RESOURCE MANAGEMENT (IWRM) WATER SUPPLY FEASIBILITY STUDY
 - Staff Report: Public Works Department
5. DISCUSS: STREET MAINTENANCE FEE ISSUES
 - Staff Report: Engineering Department
6. DISCUSS: ESTABLISHMENT OF A DOWNTOWN TASK FORCE
 - Staff Report: **Community Development** Department
7. DISCUSS: COUNCIL MEETING SCHEDULE FOR OCTOBER
 - Staff Report: Administration Department
8. COUNCIL LIAISON REPORTS
9. NON-AGENDA ITEMS

10. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

11. ADJOURNMENT

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AGENDA ITEM # _____
FOR AGENDA OF September 17, 2002

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Tigard Municipal Court Annual Report

PREPARED BY: Judge O'Brien, N. Robinson DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Informational update from Judge O'Brien and Nadine Robinson, Court Manager, on the status of the Municipal Court. The report and presentation will address the court's current programs, specifically the new juvenile program, and caseload.

STAFF RECOMMENDATION

No action necessary.

INFORMATION SUMMARY

This is the third year the court has presented an annual report to City Council. The court continues its primary goal of promoting public safety and community values by implementing state and municipal laws in a fair, efficient and professional manner. For most people in Oregon, their direct experience of the legal process typically arises from a traffic citation. The court strives to make that experience a positive one by educating defendants about relevant laws and traffic safety in a context of excellent customer service.

Following the Council's decision to accept certain categories of juvenile offenses, the first misdemeanor cases were referred to the court by the Tigard Police Department in June, 2002. The program in its current form is essentially the same program that was outlined for the Council at our last meeting. We anticipate a juvenile caseload of approximately 200 cases.

The court projects a caseload of approximately 7,000 traffic citations for the current fiscal year. Additionally, the court anticipates processing 500 civil infractions during the coming year. The recent changes in the civil infraction municipal code will help with the processing of the increased code enforcement cases.

OTHER ALTERNATIVES CONSIDERED

None

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

- Annual Report
- Graph comparing caseload from fiscal years 1999 – 2001 to fiscal year 2001-2002
- Graph comparing the top 10 violations in the last two fiscal years

FISCAL NOTES

None

ANNUAL REPORT TO CITY COUNCIL
Tigard Municipal Court

September 9, 2002

TO: Honorable Mayor and City Council
Bill Monahan, City Manager

FROM: Michael J. O'Brien, Presiding Judge
Nadine Robinson, Court Manager

SUBJECT: Annual Report from Tigard Municipal Court

We appreciate the opportunity to meet with Council and the City Manager for our third annual review of Municipal Court operations and policies. The purpose of this written report is to summarize the court's activities during the past year. As in the past, we have attached the following supplemental materials: 1) graphs comparing the court's caseload during FY 2001-02 to previous years; and, 2) an Appendix with a summary of court policies.

1. Juvenile program: Following the Council's decision to accept certain categories of juvenile offenses, the first misdemeanor cases were referred to the court by the Tigard Police Department in June, 2002. In order to implement the program and insure proper co-ordination, we consulted with seven different entities before accepting any cases: the Washington County Juvenile Department, the state Circuit Court, the District Attorney's office, the City Prosecutor, the Tigard Police Department, the Tigard Peer Court and the Tigard Volunteer Coordinator's office.

The program in its current form is essentially the same program that we outlined for the Council at our last meeting. All juvenile misdemeanors are screened twice to determine where each case should be referred. The less serious cases are sent to the Tigard Peer Court for disposition. All other cases are reviewed by the Washington County Juvenile Department, which retains jurisdiction over the more serious offenses, including juveniles with a prior record. The remaining cases are waived to our court according to the terms of a General Order of the Circuit Court and our own local rule.

Juvenile arraignments take place in our court on Thursday afternoons. All parents are mailed a summons that requires them to appear with their child at arraignment. By agreement with the Juvenile Department and the City Prosecutor's office, misdemeanors are reduced to violations at arraignment for eligible juveniles. Although juveniles cannot be placed in detention for violations, they are subject to various conditions of probation. These typically include community service (20-24 hours on average), a counseling program, court diversion fees, restitution to victims and letters of apology.

Despite the reduction of juvenile cases to violations, our policy is to conduct formal misdemeanor arraignments in open court. For juveniles who admit the offense, the arraignment moves into a conference room for a one-on-one discussion. The parents are invited to join the conversation after about five minutes. At the end of each session, a written order is entered and discussed in detail with the parents and juvenile. The court provides written summaries of its order in Spanish in appropriate cases. The

term of probation ranges from six months to one year. The court expects 100% compliance with its orders.

During the first two months of the program, there have been a few administrative complications that required further consultation with the Juvenile Department. For example, a few juveniles have received letters from the Juvenile Department even though they had already been waived to our court. The Juvenile Department's intake officer has taken steps to prevent such errors in the future.

Since the juvenile program has just begun, it is far too early to assess its effectiveness. We are pleased that parents have appeared with their children in every case that has gone to arraignment. Only one juvenile, to date, has failed to appear. As expected, a large majority of the referrals to date have been shoplifting (Theft II and III) cases.

2. Civil Infractions: The court has experienced a 525% increase in civil-infraction cases during the last fiscal year. The following data reveals the total number of violations filed since 7/1/00:

2000-01	55
2001-02	288
7/1/02-present	117

The court staff played an active role in the recent code revisions that streamline the process of citing and adjudicating civil infractions. First appearances on code violations are now docketed for the same time as traffic arraignments. The court time required to process each case has decreased substantially. Respondents spend less time in court and obtain a quicker resolution of their cases. This summer, the court has adjudicated a large number of cases involving noxious vegetation, illegal signs, and rubbish and junk accumulating on property.

3. Cable television programming: In accordance with the City's goal of increasing public access to local government, the court is developing a cable program that will provide general information about the legal system, court structure and operations, traffic laws, our juvenile program and civil infractions. The court is prepared to work with staff to televise our court trials whenever volunteers become available to operate the cameras and other necessary equipment.

4. Caseload: The court projects a caseload of approximately 7,000 traffic citations for the current fiscal year. We anticipate a juvenile caseload of approximately 200 cases and an additional 500 civil infractions during the coming year. The court expects to process a total of approximately 7,700 violations during FY 2002-03, a substantial increase over previous years.

5. Website improvements: All court orders are now available online through the court's website at www.ci.tigard.or.us/city_hall/departments/municipal_court/default.asp.

6. Collections activity: The court can now impose⁷ collection fees of 25% on delinquent fines, as permitted by Oregon law. Other recent legislation will allow the court to start imposing interest on delinquent accounts beginning next July.

We welcome any questions you have concerning court operations and policies.

APPENDIX

1. Mission statement: The court's overriding goal is to promote public safety and community values by implementing state and municipal laws in a fair, efficient and professional manner. For most people in Oregon, their direct experience of the legal process typically arises from a traffic citation. The court strives to make that experience a positive one by educating defendants about relevant laws and traffic safety in a context of excellent customer service. Juvenile cases will be adjudicated in a manner that deters recidivism, promotes the active involvement of parents, protects the community and secures restitution for victims.

2. Traffic Diversion Program: The vast majority of our traffic citations (about 95%) are resolved through the imposition of a fine based on the nature of the violation, the defendant's driving record and any special circumstances. In accordance with longstanding court policies, traffic citations involving juvenile first offenders and senior citizens (persons over 65) may be referred to one of several driver-education programs: the SAFE Traffic Safety Awareness Class, the Emanuel Hospital High-Risk Driver Program, the National Traffic Safety Institute, 55 Alive or a Seat-Belt School. In addition to completing the assigned program, defendants may also be required to receive no new convictions for a designated period of six months or more. Defendants are also required to pay a court diversion fee. Upon meeting these requirements, the citation may be dismissed. Traffic diversion programs are only offered to first offenders.

3. Youth Program: Juveniles who are referred to the court's youth program will be subject to clear and substantial consequences if they have committed a criminal offense. These consequences include a term of probation that imposes one or more of the following conditions: alternative community service, a counseling program, victim restitution, letters of apology to victims, payment of a court diversion fee, and/or participating in peer court as a juror. In appropriate cases, parents may be required to participate in restitution or counseling programs, including parenting classes. The court expects 100% compliance with its orders.

4. Compliance Program: In cases involving insurance, drivers' licenses and equipment violations, defendants may be allowed a reasonable time to come into compliance with Oregon law. In return, a defendant presenting proof of compliance, including a valid license and proof of insurance, may be granted a reduction in the fine initially imposed by the court. This program enhances public safety in Tigard by increasing the number of licensed and insured drivers on our streets. It also provides an incentive to remedy equipment violations.

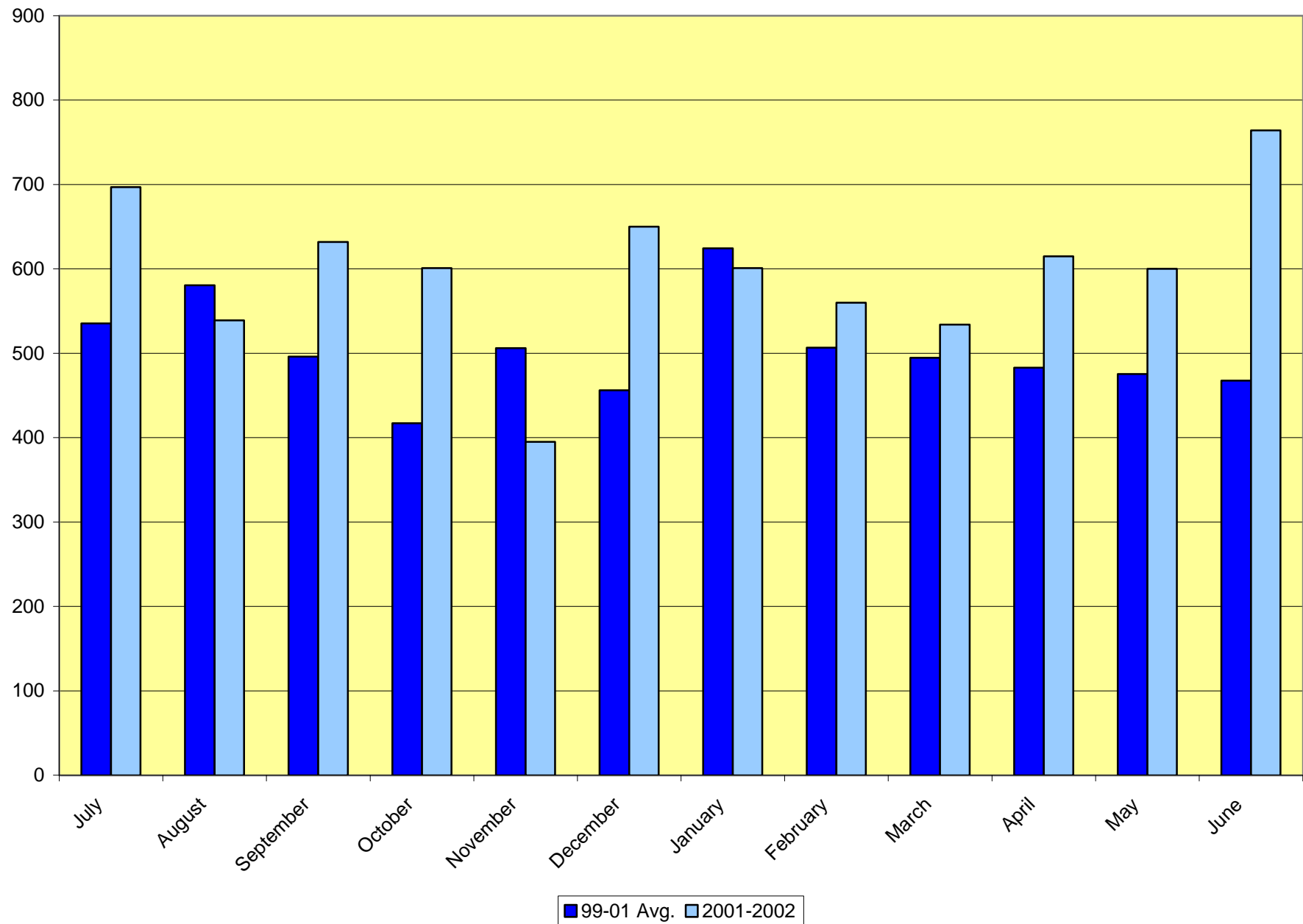
5. Court Interpreters: Though not required by state law, the court regularly provides interpreters to defendants (typically Spanish-speaking) who are unable to effectively communicate in English. On alternate Wednesdays, the court sets aside one hour to conduct arraignments and special hearings for Spanish-speaking defendants. As needed, the court provides interpreters for other non-

English-speaking defendants. The court regularly provides letters and other documents in Spanish in traffic, juvenile and civil-infraction cases.

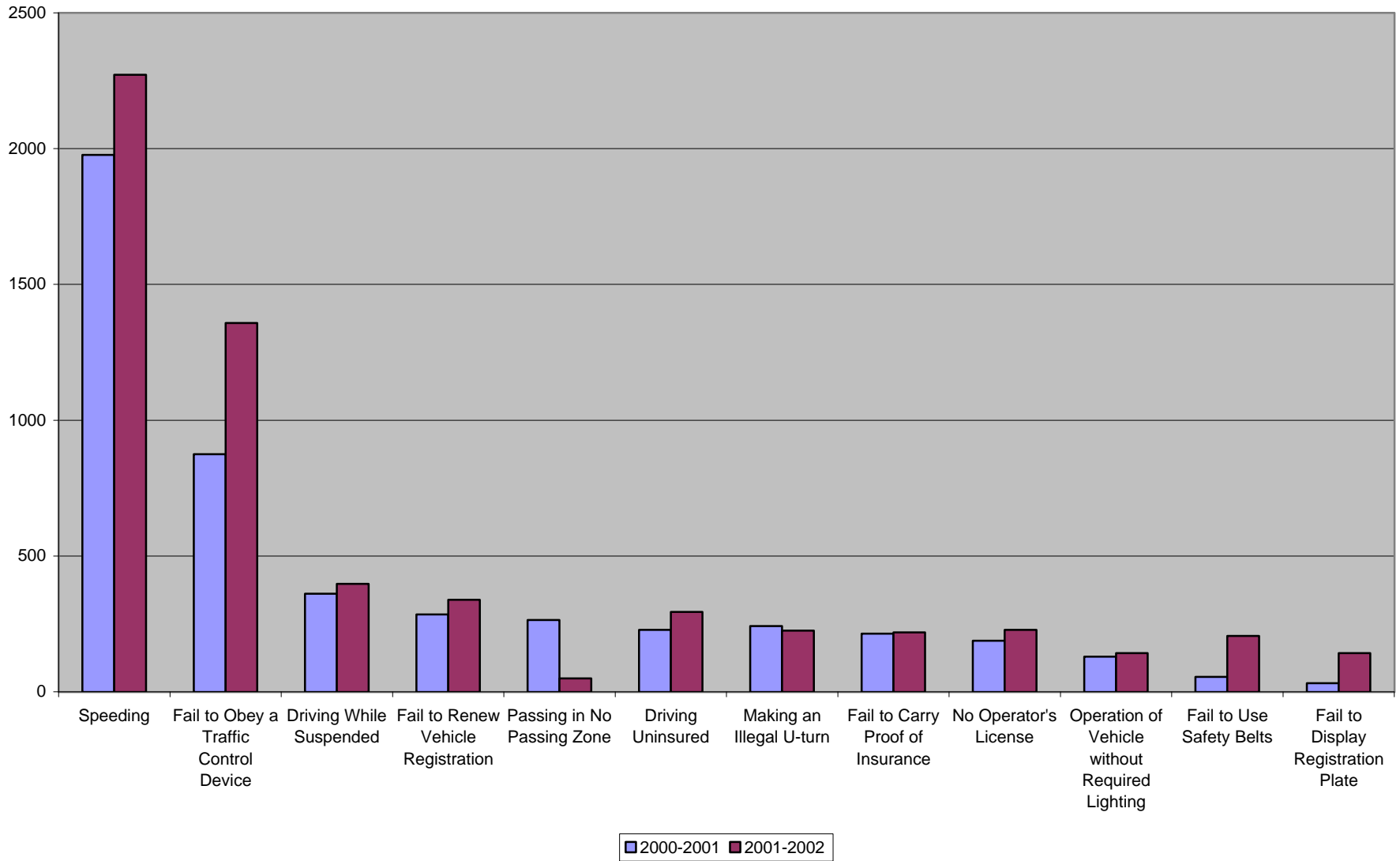
7. Court Publications: The court is committed to providing information about Oregon law and court procedures in understandable form, both online and in its written materials.

8. Court Rules: The court follows the Uniform Trial Court Rules (UTCRR) as adopted by the Oregon Supreme Court. Local rules are available to the public online and at the front counter.

Court Statistics - Citations Issued Comparing 1999-2001 to 2001-2002



Comparison of Top Cited Violations from 00-01 to 01-02



AGENDA ITEM # _____
FOR AGENDA OF 9/17/02

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Urban Renewal Fundamentals

PREPARED BY: Barbara Shields DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Continuation of the introductory discussion on urban renewal issues as a funding tool. Tim Ramis, City Attorney, will discuss the fundamental elements of urban renewal.

STAFF RECOMMENDATION

No action necessary.

INFORMATION SUMMARY

At the August 20, 2002 City Council meeting, Oliver Norville and Tim Ramis discussed the fundamental elements of urban renewal. The presentation included the following issues: 1) Authority to form an urban renewal agency; 2) Procedure in creating an urban renewal district; 3) Urban renewal plan; 4) Governance and administration of urban renewal agencies; 5) Urban renewal advisory boards; 6) Urban renewal projects; 7) Tax increment financing.

At the September 17, 2002 Council meeting, Tim Ramis will continue the presentation on the fundamental elements of urban renewal.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Growth and Growth Management Goal #2: Urban services are provided to all citizens within Tigard's urban growth boundary and recipients of services pay their share.

ATTACHMENT LIST

None.

FISCAL NOTES

N/A

AGENDA ITEM # _____
FOR AGENDA OF 9-17-02

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Amendment to the Joint Funding Agreement: Integrated Water Resource Management (IWRM) Water Supply Feasibility Study

PREPARED BY: Ed Wegner DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Discussion of the City's continued participation in the existing joint funding agreement governing the IWRM Water Supply Feasibility Study to revise the scope of work tasks and increase the City's cost share for the study from \$151,587 to an estimated \$232,318?

STAFF RECOMMENDATION

Staff will provide background information regarding the feasibility study and discuss the current alternatives available to the City.

INFORMATION SUMMARY

The City of Tigard is one of eleven (11) partners undertaking the IWRM Water Supply Feasibility Study. The purpose of the feasibility study is to examine alternative approaches to increasing the water supply in the basin. From the onset of the project it was anticipated that the Bureau of Reclamation (BOR) complete a substantial part of this study in-house. The partners have been informed that BOR funding has been cut and they cannot complete their portion of the work. To keep the project on tract the project managing partner, Clean Water Services has proposed the attached amendment.

The amendment will provide funding to either pay the BOR to complete their portion of the work or with their consent, shift the work to a private consultant. The amendment also will allow funding of several other components of the work that have developed since the project commenced. CWS staff is pursuing the option of receiving credit for this work against future BOR funding for the project.

OTHER ALTERNATIVES CONSIDERED

If the City were to choose not to amend the agreement our position as a partner in the project would change, likely leading to our loss of ability to obtain water rights in the project.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Completing the IWRM Water Supply Feasibility Study is the primary strategy for the goal stated in “Tigard beyond Tomorrow” addressing development of a long term source of water for the community.

ATTACHMENT LIST

1. Amendment to Joint funding Agreement, including exhibits A and B
 2. Tualatin Basin Water Supply Feasibility Study
 3. Conceptual Project Schedule
-

FISCAL NOTES

Total cost to the City if all changes currently identified in the amendment were to be completed will be \$80,731. Additional funding will be taken from the water capital fund.

**FIRST AMENDMENT
TO JOINT FUNDING AGREEMENT FOR
IWRM WATER SUPPLY FEASIBILITY STUDY**

This Amendment, dated _____, 2002, is between Clean Water Services ("District"- formerly known as Unified Sewerage Agency) a county service district formed by authority of ORS 451, The Tualatin Valley Water District, a domestic water district formed by authority of ORS 264 and the cities of Hillsboro, Beaverton, Forest Grove, Tigard, Sherwood, Tualatin, North Plains, Cornelius and Banks, all municipal corporations of the State of Oregon (Partners) and amends the parties Joint Funding Agreement – IWRM Water Supply Feasibility Study dated June 20, 2001 ("Joint Funding Agreement").

RECITALS:

1. The parties previously entered into the Joint Funding Agreement under which the parties agreed to jointly fund a study of the feasibility of alternative approaches to increasing the water supply, as well as the ‘no action alternative’.
2. The parties now wish to amend the Joint Funding Agreement in order to fund additional Study tasks to complete the Water Supply Feasibility Study.

TERMS AND CONDITIONS

1. From the effective date of the Amendment, Partners shall compensate District for each party’s share of the cost of the Study as provided in Section 2 of the Agreement. A revised payment schedule is included as Exhibit B.

Total payment to District for compensation for services provided during fiscal year 2002-2003 shall not exceed \$1,237,400.

2. Section 4 is amended as follows:

“\$734,000” is changed to “\$1,237,400”.

3. Exhibit A of the Joint Funding Agreement is amended as provided in Exhibit A of this Amendment.
4. This Amendment shall be effective upon signing of all parties.
5. Except as amended herein, the initial Joint Funding Agreement shall remain in full force and effect.

The above is hereby agreed to by the parties and executed by the duly authorized representative below:

CLEAN WATER SERVICES

APPROVED AS TO FORM:

By: _____

By: _____

District General Counsel

Date: _____

TUALATIN VALLEY WATER DISTRICT

APPROVED AS TO FORM:

By: _____

By: _____

Attorney

Date: _____

CITY OF HILLSBORO

APPROVED AS TO FORM:

By: _____

By: _____

Attorney

Date: _____

CITY OF BEAVERTON

APPROVED AS TO FORM:

By: _____

By: _____

Attorney

Date: _____

CITY OF FOREST GROVE:

APPROVED AS TO FORM:

By: _____

By: _____

Attorney

Date: _____

CITY OF TIGARD

APPROVED AS TO FORM:

By: _____

By: _____

Attorney

Date: _____

CITY OF SHERWOOD

APPROVED AS TO FORM:

By: _____

By: _____

Attorney

Date: _____

CITY OF TUALATIN

APPROVED AS TO FORM:

By: _____

By: _____

Attorney

Date: _____

CITY OF NORTH PLAINS

APPROVED AS TO FORM:

By: _____

By: _____

Attorney

Date: _____

CITY OF CORNELIUS

APPROVED AS TO FORM:

By: _____

By: _____

Attorney

Date: _____

CITY OF BANKS

APPROVED AS TO FORM:

By: _____

By: _____

Attorney

Date: _____

Exhibit A (First Amendment)

TUALATIN BASIN WATER SUPPLY FEASIBILITY STUDY

Scope of Work Tasks (Revised and additional Tasks)

August 16, 2002

Task 400 – Economics

1. Conduct Principles and Guidelines for National Economic Development benefits-cost analysis
2. Conduct Principles and Guidelines for Regional Economic Development benefits-cost analysis
3. Conduct Repayment Analysis
4. Write Economic affected environment
5. Conduct impact analysis
6. Revise economic input in response to comments

Task 900 – Social and Environmental Justice

1. Affected Environmental/Existing conditions
2. Environmental Consequences/Impact Analysis
3. Review drafts and respond to comments

Task 1200 – Cultural Resources

1. Conduct background research/initial information gathering.
2. Conduct data collection/file search.
3. Draft affected environment section.
4. Evaluate alternatives/draft environmental consequences section.
5. Consult with SHPO.
6. Consult with Native Americans.
7. Attend team meetings.
8. Review and revise drafts.
9. Respond to public comments.
10. Conduct site visit to project area.

Task 1300 – Resources Management (Project Management)

1. Coordinate with BOR management and staff on federal funding process and review of tasks.
2. Coordinate and administer governmental affairs contractor for the federal funding process.
3. Develop action plan for seeking congressional appropriations and federal agency grant processes.

Task 1400 – Sain Creek Tunnel Analysis (new task)

1. Gather and review technical information on the geologic and seismicity in the area of the tunnel.
2. Assess potential water yield and its impact on reservoir filling. Describe tunnel hydrology and operational parameters.
3. Evaluate the potential of hydropower benefits of alternative tunnel configurations.
4. Evaluate daily streamflows in upper watershed, including quantifying the flood control benefit of the tunnel.

Task 1500 – Climate Change Survey for Water Demands (new task)

1. Evaluate climate changes models and determine potential general climate change trend.
2. Based on climate change information, determine impacts to streamflows and current hydrology.
3. Evaluate and review water supply impacts from climate-altered streamflows.
4. Summarize the climate change elements as related to water demand and present management implications.

Exhibit B

Water Supply Feasibility Report Water Supply Feasibility Report Cost Share

Project Manager - Tom VanderPlaat

Date

8/14/2002

Options Review

	Water	% Share	Costs	Option 1	Option 1A	Option 2	Option 3
	Allocations			Gov. affairs & CWS PM	Sain Cr. Tunnel	Climate Change	BOR Tasks
	Ac - ft			\$105,000	\$60,000	\$50,000	\$215,000
Water Quality							
CWS	15,000	29.64%	\$239,348	\$270,474	\$288,261	\$303,083	\$366,818
M&I							
City of Tigard	9,500	18.77%	\$151,587	\$171,300	\$182,565	\$191,953	\$232,318
TVWD	9,500	18.77%	\$151,587	\$171,300	\$182,565	\$191,953	\$232,318
City of Hillsboro	4,600	9.09%	\$73,400	\$82,945	\$88,400	\$92,945	\$112,491
City of Beaverton	3,600	7.11%	\$57,443	\$64,914	\$69,183	\$72,740	\$88,036
City of Sherwood	1,800	3.56%	\$28,722	\$32,457	\$34,591	\$36,370	\$44,018
City of Tualatin	1,700	3.36%	\$27,126	\$30,654	\$32,670	\$34,349	\$41,573
City of Forest Grove	900	1.78%	\$14,361	\$16,228	\$17,296	\$18,185	\$22,009
City of Cornelius	2,000	3.95%	\$31,913	\$36,063	\$38,435	\$40,411	\$48,909
City of North Plains	1,000	1.98%	\$15,957	\$18,032	\$19,217	\$20,206	\$24,455
City of Banks	1,000	1.98%	\$15,957	\$18,032	\$19,217	\$20,206	\$24,455
Total M&I	35,600	70.36%	\$568,052	\$641,926	\$684,139	\$719,317	\$870,582
Sub Total	50,600	100.00%	\$807,400	\$912,400	\$972,400	\$1,022,400	\$1,237,400

WQ(exisiting)	12,618	
M&I (exisiting)	14,000	
Irrigation	27,022	
Fish and Wildlife		
Recreation*	6,900	
Hydro power		
Flood Management		
Total (active storage)	104,240	
Feasibility Report Estimate		\$807,400

					Total
Original Contract				\$734,000	
Contingency (10%)				\$73,400	
					\$807,400
Option 1 - Governm. Affairs and CWS Project Mgt.				\$105,000	
					\$912,400
Option 1A - Sain Creek Tunnel Feasibility				\$60,000	
					\$972,400
Option 2 - Climate Change Rev. for Water Demands				\$50,000	
					\$1,022,400
Option 3- BOR Tasks				\$215,000	
Totals					\$1,237,400

Tualatin Basin Water Supply Feasibility Study

Date: August 14, 2002

To: Water Managers Group (WMG)

From: Tom VanderPlaat - CWS Project Manager

Subject: WSFS Funding Options review

Since signing the Joint Funding Agreement in June 2001, the Water Supply Feasibility study has made good progress. As mentioned at the previous WMG, we have several issues that related to the budget and time schedule as we move forward.

In January 2002, as part of the budget review, it was agreed that a 10% contingency would be included in the partner's budgets for FY 02-03, which equates to \$73,400 and total of \$807,400.

As presented at the last WMG meeting, the BOR budgeted only \$25,000 for FY 02-03, which is not adequate for completion for the tasks committed in the BOR/CWS Memorandum of Agreement (MOA). The funding limitations have an impact on the options for the future. The costs for the various options would allocate based on the current joint funding agreement percentages. The following is the funding options for completion of the Study:

Option 1. – Governmental Affairs and CWS Project Management.

This option includes two elements. First, based on the recent discussions with BOR management, they strongly recommended that we increase our efforts with the governmental affairs consultant (Washington DC lobbyist). It would likely take up to two years to obtain BOR funding given the federal budget process. Based on the unanticipated complexity of the Study, we underestimated the level of effort for CWS management and suggest that an addition to this element. Specifically, the BOR coordination and public involvement are two task areas have taken more time than anticipated.

• Increased Budget for Governmental Affairs ----	\$60,000
• Increase Budget for CWS Project Management --	<u>\$45,000</u>
Total Increase	\$105,000

Option 1A. – Sain Creek Tunnel Feasibility

This option is based on the MWH Scope and tasks elements to be performed by the CWS project manager. This option would include the flood control and hydropower elements of the draft MWH scope of work. The CWS work tasks include the water availability analysis for the Tualatin River diversion.

- Sain Creek Tunnel Feasibility \$60,000

Option 2. – Climate Change Review of Water Demands

This option is to conduct the climate change study for the Tualatin Basin and understand the impact to the water demands. This review would similar to the Portland Bull Run analysis.

- Climate Change Review of Water Demands ---- \$50,000

Option 3 – BOR tasks for completion of the WSFS

This option is based on advancing funding to the BOR for completion of the Study, in order to keep the Study on the proposed time schedule. The BOR tasks include dam engineering, economics, cultural resources and others. The BOR management indicated the funding would be credited at a later phase of the Project. However, given the future of federal funding, this is of considerable concern. As part of the federal funding process, the crediting of this option would be included as part of the future legislation with the BOR.

- BOR tasks for completion of the WSFS - \$215,000

In the case that all the above options are chosen, the budget would increase by \$430,000 and from the original \$807,400 to \$1,237,000. The attached spreadsheets show the impact to the individual partners.

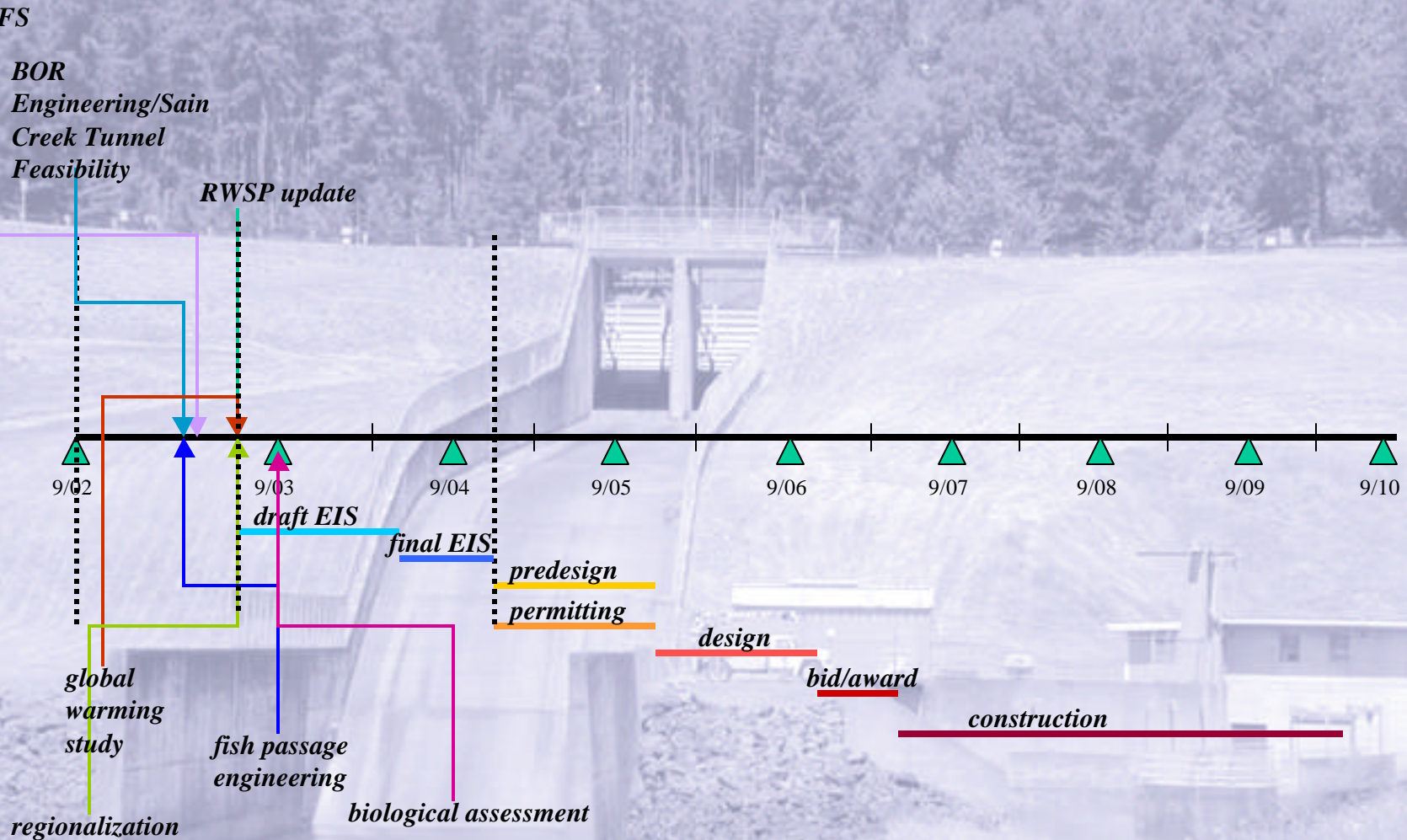
Additional Study Elements (Fish Passage Engineering and Biological Assessment)

The original Study work tasks did not include tasks related to fish passage and endangered species act consultation, due to the BOR consultation initiated on the existing dam and its operations. It was hoped that BOR consultation process would be completed and could be included in the Study, however, due to changing federal priorities it will not be completed. Therefore in order to maintain the Study time schedule, there maybe a need to include two additional work tasks for fish passage engineering and development of biological assessment (BA) for endangered species. The biological assessment will identify the impacts associated with project alternatives on threatened and endangered species. The BA will need to be coordinated with BOR and estimated to cost approximately \$50,000. The fish passage engineering task will conduct an engineering, biological and economic assessment of passage alternatives. The estimated cost of the task is \$50,000 to evaluate the costs and benefits of fish passage. These costs are not included in the Joint Funding Agreement amendment and will need further review by the WMG.

TABLE OF TASKS

TASK	START	DURATION	INFORMATION AVAILABLE
WSFS Feasibility Study	Oct - 01	18 mo.	Apr-03
BOR Engineering	Sep - 02	6 mo.	Mar-03
Sain Creek Tunnel Feasibility	Sep - 02	6 mo.	Mar-03
RWSP Update	-	-	Jun-03
Global Warming Study	Jan - 03	6 mo.	Jun-03
Regionalization Discussions	-	-	Jun-03
Fish Passage Engineering	Sep-02	6 mo.	Mar-03
Biological Assessment	Jun-03	3 mo.	Sep-03
Draft EIS	Jun-03	12 mo.	Jun-04
Final EIS and ROD	Jun-04	6 mo.	Dec-04
Predesign	Jan-05	12 mo.	Jan-06
Permitting	Jan-05	12 mo.	Jan-06
Design	Jan-06	12 mo.	Jan-07
Bid/Evaluation/Award	Jan-07	6 mo.	Jun-07
Construction	Jun-07	3 years	Jun-10

Conceptual Project Schedule



AGENDA ITEM # _____
FOR AGENDA OF September 17, 2002

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Street Maintenance Fee Issues

PREPARED BY: A.P. Duenas DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Discussion with the City Attorney's office regarding evaluation of Street Maintenance Fee issues raised during the public input process.

STAFF RECOMMENDATION

After discussion with the City Attorney's office regarding the Street Maintenance Fee issues, staff recommends that Council provide direction on future action regarding implementation of the Street Maintenance Fee.

INFORMATION SUMMARY

At its meeting on August 13, 2002, City Council raised concerns about some of the issues raised during the public input process for the Street Maintenance Fee. Council requested that the City Attorney's office review the issues and provide their evaluation on those issues. As a result, the originally scheduled date of August 27, 2002 for Council consideration of the Street Maintenance Fee implementation was postponed until a full discussion could be held with the City Attorney's office regarding the issues. The date for that discussion is scheduled for the September 17, 2002 Council Workshop Meeting.

Should City Council decide to move ahead with implementation of the Street Maintenance Fee by Council action, the adoption of the fee would be by ordinance and the actual fee amounts by resolution. The effective date for the fee implementation would most likely be set several months after the Council action to allow the Engineering staff sufficient time to verify the information needed for the billings and to provide the City's Finance Department time to incorporate the fees into the utility bills.

OTHER ALTERNATIVES CONSIDERED

None

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Timely maintenance of the street infrastructure meets the Tigard Beyond Tomorrow goal of *Improve Traffic Safety*. The implementation of the Street Maintenance Fee meets the goal of *Identify and Develop Funding Resources*.

ATTACHMENT LIST

None

FISCAL NOTES

None at this point. The implementation of the Street Maintenance Fee would provide funding for street maintenance, limited rights-of-way maintenance, limited sidewalk maintenance, and street light and traffic signal system energy costs and maintenance.

AGENDA ITEM # _____
FOR AGENDA OF September 17, 2002

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE A Resolution to Establish the Downtown Task Force

PREPARED BY: Barbara Shields DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Should Council form a task force to evaluate the opportunities associated with the impacts of commuter rail on downtown Tigard within the context of the overall downtown planning effort (Attachment 1)?

STAFF RECOMMENDATION

Staff recommends that Council discuss and give direction on the attached resolution establishing the Downtown Task Force (Attachment 2).

INFORMATION SUMMARY

At the April 16, 2002 meeting, Council directed staff to move forward with the planning effort to evaluate a range of opportunities associated with the impacts of the commuter rail within the context of the overall planning effort for downtown Tigard. A commuter rail train system would carry commuters from Wilsonville to Beaverton. As part of this system, Tigard would have a station in downtown and one located within the Washington Square Regional Center.

Three public meetings, attended by both downtown business and property owners, were held between May and August. Initially, the activities of the downtown group were focused on the informational aspect on the commuter rail operations, including station design and traffic circulation elements. As a result of these meetings, the downtown group determined that the objective of the present planning effort is to develop an implementation program, which would identify the type and scope of infrastructure improvements needed to enhance the station design and the area in the vicinity of the station (Attachment 3).

The resolution (Attachment 2) submitted for City Council consideration outlines the proposed purpose of the Downtown Task Force to assist City Council in achieving its goal for the downtown, including developing the commuter rail and downtown infrastructure implementation program. The mission for the new task force conforms to the Tigard Beyond Tomorrow Central Business District Goal.

OTHER ALTERNATIVES CONSIDERED

Postpone discussion on the submitted resolution.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Community Character and Quality of Life Goal #3: Provide opportunities to work proactively with Tigard Central Business District Association (TSBDA) business and property owners and citizens of Tigard to set the course for the future of the central business district.

Strategy 3) Develop strategies for public improvements in Tigard's central business district area (this area includes Main Street) and adjacent areas.

ATTACHMENT LIST

Attachment 1: Overview of Tigard Downtown Planning Efforts, Chart

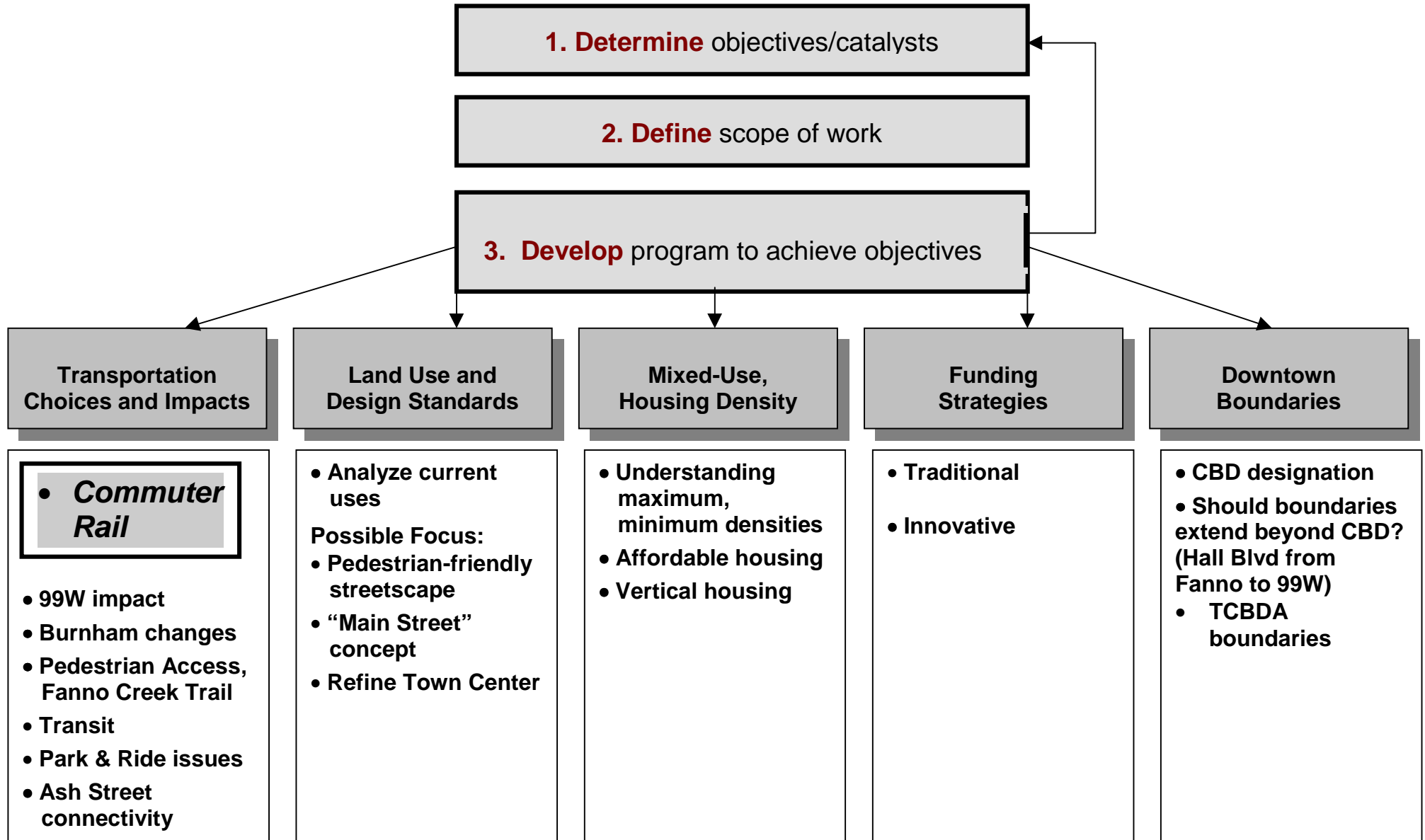
Attachment 2: Council Resolution establishing the Downtown Task Force

Attachment 3: Downtown Task Force (To Use Commuter Rail as a Catalyst to Make Downtown Improvements), Chart

FISCAL NOTES

N/A

OVERVIEW OF TIGARD DOWNTOWN PLANNING EFFORTS



CITY OF TIGARD, OREGON

RESOLUTION NO. 02-_____

A RESOLUTION TO ESTABLISH THE NEW DOWNTOWN TASK FORCE TO ADVISE THE CITY COUNCIL ON THE DOWNTOWN INFRASTRUCTURE IMPLEMENTATION PROGRAM RELATED TO THE COMMUTER RAIL STATION

WHEREAS, one of Council's goals for 2002 is to plan for the commuter rail station in downtown Tigard and work in conjunction with the Tigard Central Business District Association, Tigard Area Chamber of Commerce, and other interest groups on a downtown redevelopment plan; and

WHEREAS, in April 2002 the Tigard City Council recognized the need to initiate a new downtown planning effort to assess benefits and opportunities associated with the commuter rail in the downtown area; and

WHEREAS, the downtown group consisting of business and property owners has met three times since April 2002 and determined that the main objective of the present planning effort is to develop an implementation program, which would identify the type and scope of infrastructure improvements needed to enhance the station design and the area in the vicinity of the station,

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: A Downtown Task Force is hereby established and its membership shall consist of the downtown business and property owners as identified in Exhibit A (this section will be discussed by Council).

SECTION 2: The mission of the Downtown Task Force is to advise the Tigard City Council in developing the commuter rail and downtown infrastructure implementation program with the potential to continue working on development strategies within the context of the overall planning effort for downtown Tigard.

SECTION 3: The term of service for appointees to the Downtown Task Force shall be for the duration of the Task Force activities, with the conclusion of activities to be determined by the Tigard City Council.

SECTION 4: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2002.

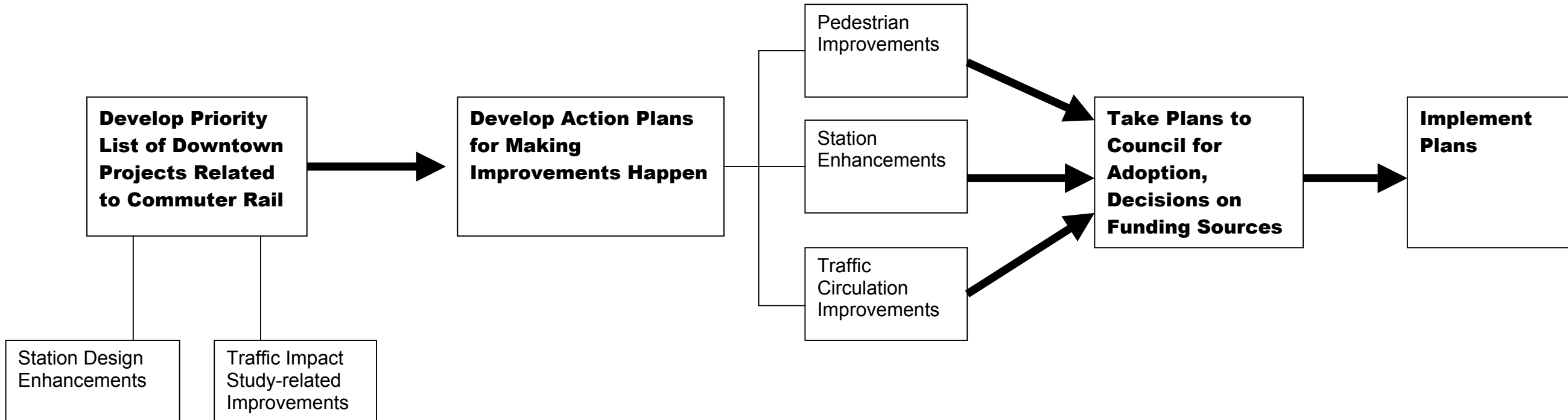
Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

DOWNTOWN TASK FORCE

**OBJECTIVE: TO USE COMMUTER RAIL AS A CATALYST
TO MAKE DOWNTOWN IMPROVEMENTS**



AGENDA ITEM # _____
FOR AGENDA OF September 17, 2002

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Discuss Council Meeting Schedule for October

PREPARED BY: Cathy Wheatley DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Review meeting schedule for October and determine if a special meeting should be planned for October 29, 2002.

STAFF RECOMMENDATION

Review schedule and determine whether another meeting should be added to the October Council meeting docket.

INFORMATION SUMMARY

October meetings are now scheduled as follows:

- October 7 (Monday) – Joint Meeting with Tualatin City Council & the Tigard-Tualatin School Board
- October 8 (Tuesday) – Regular Business Meeting
- October 15 (Tuesday) – Workshop Meeting
- October 22 (Tuesday) – Regular Business Meeting – Canceled (Mayor Griffith and Councilor Moore will not be able to attend; therefore, there is no quorum for a meeting.)

Would the Council like to schedule a meeting for October 29? The first business meeting in November is scheduled for November 12.

OTHER ALTERNATIVES CONSIDERED

November 5 could also be a choice for a special Council meeting if needed.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

None

FISCAL NOTES

N/A

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